

A bill for the relief of Joseph Baker.

A bill to incorporate the town of Weatherford, and,

A bill making a contingent appropriation for the support of the State Penitentiary, correctly enrolled, properly signed and this day presented to the Governor.

The report of the committee on Internal Improvements, offering a substitute for a bill for the relief of the Texas Western Railroad Company, and in amendment of the act of incorporation thereof, entitled an act to establish the New Orleans, Texas and Pacific Railway Company, for the extension of the New Orleans, Algiers and Opelousas Railway through Texas, approved 16th February, 1852, and in amendment of the act supplemental to said act, approved February 2, 1854, was read and substitute adopted.

Mr. Potter offered the following as an additional section, to be numbered

Sec. 2. That this act is passed and these privileges are granted upon the following terms and conditions :

First. That said Texas Western Railroad Company abandon all claim or right to land from the State under its charter or any other law of this State, except the act of January 30th, 1854, entitled an act to encourage the construction of Railroads in Texas, by donations of land.

Second. That said Company consent to the repeal of the 15th section of their said act of incorporation, approved 16th February, 1852 ; which said section is hereby repealed.

Third. That said Company shall surrender and renounce all right to any branching privileges, granted by its original charter—adopted.

Mr. Taylor of Cass, offered the following amendment :

Provided, That this Company shall not be entitled to a loan from the School Fund under the provisions of an act to invest the Special School Fund in the bonds of Railroad Companies, passed August 13, 1856.

Pending which, on motion of Mr. Lott, the Senate adjourned until to-morrow morning 10 o'clock.

THURSDAY, Dec. 31, 1857.

The Senate met pursuant to adjournment—Prayer by the Chaplain—roll called—quorum present.

The Journal of yesterday was read and adopted.

Mr. Graham presented the memorial of sundry citizens of Rusk county, asking an increase of the tax on peddling ; referred to the committee on State Affairs.

Mr. Guinn presented the memorial of sundry citizens of Knoxville and its vicinity, in Cherokee county, asking the passage of a prohibitory liquor law, to include said vicinage ; referred to the committee on the Judiciary.

Mr. Taylor of Fannin presented the memorial of the trustees of the Bonham Female Academy ; referred to the committee on Education.

Mr. Potter made the following reports :

The committee on the Judiciary have considered a bill to secure a speedy trial to parties accused of capital offences in certain cases, and instruct me to report, that, as the provisions of the bill are incorporated in the bill now pending to amend the Code of criminal procedure, further action upon this bill is unnecessary ; and, therefore, recommend that it be laid on the table.

The Judiciary committee have considered a bill supplemental to and amendatory of an act to establish a Code of criminal procedure, approved Aug. 26, 1856, and a majority of the committee instruct me to report the bill back to the Senate, with various amendments, and recommend the adoption of the amendments and the passage of the bill.

On motion of Mr. Potter, the rule was suspended, the report and bill taken up, read, and the amendments adopted.

On motion of Mr. Stockdale, the bill was laid on the table.

Mr. Russell made the following report :

The Joint Select committee, framed to enquire into the propriety and necessity of amending our tax law, and report by bill or otherwise, have had the subject under consideration, and have bestowed upon it proper care and reflection. From the records of the various departments of the State Government, the committee derive the following information relative to the tax upon real estate, to-wit : The amount of land returned to the General Land Office, including all titles, Nov. 1st, 1857, was 67,767,117 acres ; and the number of acres assessed, as by records of the Comptroller, appears to be 46,874,798, showing that taxes are not paid upon upwards of 20,000,000 acres, amounting to nearly one-third of the titled lands of the State. The necessity for renovation, in our present revenue system, is too apparent to require argument, as all are aware of the fact, that, in all new Governments, specu-

lative legislation is too apt to predominate over practical legislation. Hence, we find the laws of Texas in this category ; and it is only by experience in the practical operation of laws, that errors are detected and laws perfected. The committee have prepared the following bill, which is almost an entire renovation of the present tax law, but embraces many similar features. The committee think this bill an improvement upon our present system, and, therefore, instruct me to recommend its passage.

A bill to provide for the assessment and collection of taxes; read first time.

On motion of Mr. Russell, the rule was suspended, the bill was taken up, read, made the special order for the 12th day of January, 1858, and one hundred and fifty copies ordered to be printed.

Mr. Walker introduced a bill for the relief of the surveyor of Parker county ; read first and second times, and referred to the committee on Counties and County Boundaries.

Mr. Wigfall introduced a bill to prohibit the emancipation of slaves by will ; read first and second times, and referred to the Judiciary committee.

Mr. Caldwell introduced a bill to incorporate the Texas Annual Conference ; read first and second times, and referred to the committee on the Judiciary.

Mr. Britton introduced a joint resolution for the appointment of a State Librarian ; read first and second times, and referred to the committee on State Affairs.

Mr. Stockdale introduced a bill to authorize the Commissioner of the General Land Office to issue patents on locations made upon Kemper's Island on the Guadalupe river ; read first and second times, and referred to the committee on Public Lands.

On motion of Mr. Potter, the House's substitute for the Senate's bill to repeal a portion of the 10th section of the act of Feb. 10th, 1852, entitled an act relating to lands in Peters' colony, &c., was taken up and read first time.

On motion of Mr. Throckmorton, the rule was suspended, bill read a second time and passed to a third reading ; rule further suspended, bill read a third time and passed.

On motion of Mr. Taylor of Fannin, the vote passing the last named bill was reconsidered, and the bill referred to the Judiciary committee.

On motion of Mr. Throckmorton, the House's substitute, entitled a bill to repeal a portion of the act of Feb. 10, 1852, entitled an act in relation to lands in Peters' colony, for a Senate's bill relating to the same subject, was taken up and read the first time.

On motion of Mr. Potter, the rule was suspended, bill read a second time and passed to a third reading; rule further suspended, bill read a third time and passed.

On motion of Mr. Guinn, the following House bills were read first and second times and referred as stated :

A bill for the relief of Jose Maria Gonzales, to the committee on Private Land Claims.

A bill to incorporate the Tellico Manufacturing Company, and a bill to incorporate the Lynchburg Steam Saw Mill and Ship-Yard Company, to the committee on the Judiciary.

ORDERS OF THE DAY.

The bill for the relief of the Texas Western Railroad Company, under consideration yesterday when the Senate adjourned, was read, and on motion of Mr. Guinn, laid on the table.

The resolution offered by Mr. Guinn yesterday, excluding new business from the Senate except by a four-fifths vote after the 15th day of January next, was read and rejected.

Mr. Taylor of Cass introduced, by leave, a joint resolution authorizing the acceptance of certain proposals for the sale of U. S. Bonds, owned by the State of Texas; read first time.

On motion of Mr. Taylor of Cass, the rule was suspended, bill read a second time and ordered to be engrossed; rule further suspended, bill read a third time and passed.

The report of the committee on Claims and Accounts, recommending the rejection of the claim of Cyrus Wickson, was read and adopted.

The report of the committee on State Affairs, upon a bill to exempt certain property from execution and forced sale, was read, and on motion of Mr. Stockdale, laid on the table.

A bill for the relief of the heirs of Jesse Boykin was read a third time and passed.

A bill for the relief of William Cravens, read a third time and rejected by the following vote :

YEAS—Messrs. Britton, Caldwell, Fall, Graham, Potter, Scarborough, Throckmorton, Truitt and Wigfall—9.

NAYS—Messrs. Erath, Grimes, Guinn, Hyde, Lott, Martin, Pirkey, Russell, Stockdale, Taylor of Cass, Taylor of Houston, Walker and Wren—13.

On motion of Mr. Throckmorton, the bill for the relief of Henry Stout was taken from the table and read a second time.

On motion of Mr. Britton, the bill was amended by striking out "\$500 00," and inserting "\$1.000 00" in lieu thereof.

The yeas and nays upon the engrossment of the bill being called, stood thus :

YEAS—Messrs. Britton, Fall, Scarborough, Throckmorton, Truitt and Wigfall—6.

NAYS—Messrs. Burroughs, Caldwell, Erath, Graham, Grimes, Guinn, Hyde, Martin, Pirkey, Potter, Russell, Stockdale, Taylor of Cass, Taylor of Fannin, Taylor of Houston, Walker and Wren—17.

So the Senate refused to engross the bill.

Mr. Erath moved a reconsideration of the vote just taken ; carried.

Tr. Throckmorton offered as a substitute for the bill—

"A bill donating 640 acres of land to Henry Stout."

On motion of Mr. Wigfall, the Senate adjourned until Saturday morning, 10 o'clock.

SATURDAY, January 2, 1858.

The Senate met pursuant to adjournment—prayer by the Chaplain—roll called—quorum present.

The journal of Thursday was read and adopted.

Mr. Taylor of Houston presented the memorial of Henry P. Hill, referred to the committee on Public Land.

Mr. Taylor of Houston, chairman of the committee on enrolled bills, reported :

A bill to organize the county of Presidio, and

A bill for the relief of the heirs of Martin Winne ; correctly enrolled, properly signed, and presented to the Governor on the 31st ultimo.

Mr. Fall, from the committee on engrossed bills reported :

A bill to amend the first section of an act to create the county of Palo Pinto.

A bill to amend the first section of an act to create the county of Jack, and